

DECLARATION OF BURTON EGGERTSEN

Pursuant to 28 U.S.C. § 1746

I, Burton Eggertsen, declare as follows:

1. I am a summer law clerk at the Federal Trade Commission's Northwest Regional Office. I am about to enter my third year as a law student at New York University Law School. The following facts are known to me personally and if called as a witness I could and would competently testify thereto.

2. On or about June 9, 2011, I was provided a list of websites by Kathryn Decker, an attorney at the Federal Trade Commission. She asked that I visit each website to see if they were active and to record what I saw on each one. The websites are listed in Attachment A.

3. On or about June 9, 2011, I visited each of these websites. I went through the terms and conditions of each site, the privacy statements, and contact information, and entered search terms and proceeded through the results to the final payment page. I recorded pricing information, contact information, company names, trademarks, and the general format of each site.

4. The addresses of some websites on page MAFG 494 were cut off; in those cases I searched for what appeared on MAFG 494 as well as common endings of other websites. For example, for what was listed as "ancestryfre" I searched ancestryfreeinc.com, ancestryfree123.com, and ancestryfree321.com.

5. I revisited the sites on July 5, 2011 and July 18, 2011. On those dates I recorded changes that had been made to the websites.

6. Based on my research, all the active sites except for familyandhistory.com perform general people-searches. The consumer enters either a name or phone number, and the website claims to locate records about that person. The front page of each site also has an "as seen on" section at the bottom, stating that the website has been seen on various news programs (such as Fox News and ABC) and the sites of certain organizations (such as Brigham Young University). After a search term is entered, a page comes up stating that the search is "processing." Then a new link appears. That link brings up a new "processing" page, which

1 again brings up a new link when the processing is finished. That link brings up the payment  
2 page.

3 7. In total I looked at 45 websites. Of these, 17 were active. These websites, except  
4 for familyandhistory.com, were very similar in appearance and function. They all had the same  
5 \$1 dollar initial fee, and stated multiple times and in different locations that the total cost was \$1.  
6 Nine sites had a seven-day trial followed by an \$18.95 per month charge. Seven had a five-day  
7 trial followed by a \$19.95 per month charge. There were some differences in the owning  
8 company that was listed, cancellation procedures, contact information, and payment information.  
9 In the following paragraphs, I summarize what I found on each website.

10 **ancestrysearchinc.com**

11 8. On or about June 9, 2011, ancestrysearchinc.com was active. The "privacy"  
12 section states that the site is owned by "Mobile Web Media and its affiliated companies," and  
13 that the privacy agreement became effective February 9, 2010. The "terms" section says that the  
14 company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact  
15 information for the site is privacy@ancestrysearchinc.com and legal@ancestrysearchinc.com.  
16 After the second "processing" page, the site states that the search costs \$1. At the top of the  
17 payment page it states that the total charge is \$1. After scrolling down, there is a box to the side  
18 of the area where the consumer enters payment information. It states that by entering his or her  
19 information, the consumer is signing up for a seven day free trial, after which the consumer will  
20 be charged \$18.95 per month.

21 9. On July 5, 2011, ancestrysearchinc.com was active. The front page and  
22 processing pages had new graphics.

23 10. On July 18, 2011, ancestrysearchinc.com was unavailable.

24 **cellphonenumberlookups123.com**

25 11. On or about June 9, 2011, cellphonenumberlookups123.com was active. The  
26 "privacy" section states that the site is owned by "Mobile Web Media and its affiliated  
27 companies," and that the privacy agreement became effective February 9, 2010. The "terms"  
28 section says that the company's address is 147 West Election Road, Suite 200, Draper, Utah

1 84020. The contact information for the site is [privacy@cellphonelookups123.com](mailto:privacy@cellphonelookups123.com) and  
2 [legal@cellphonelookups123.com](mailto:legal@cellphonelookups123.com). After the second "processing" page, the site states that the  
3 search costs \$1. At the top of the payment page it states that the total charge is \$1. After  
4 scrolling down, there is a box to the side of the area where the consumer enters payment  
5 information. It states that by entering his or her information, the consumer is signing up for a  
6 seven day free trial, after which the consumer will be charged \$18.95 per month.

7 12. On July 5, 2011, [cellphonenumberlookups123.com](http://cellphonenumberlookups123.com) was still active. The front  
8 page and processing pages had new graphics.

9 13. On July 18, 2011, [cellphonenumberlookups123.com](http://cellphonenumberlookups123.com) was unavailable.

10 **[peoplefind123.com](http://peoplefind123.com)**

11 14. On or about June 9, 2011, [peoplefind123.com](http://peoplefind123.com) was active. The "privacy" section  
12 states that the site is owned by "Mobile Web Media and its affiliated companies," and that the  
13 privacy agreement became effective February 9, 2010. The "terms" section says that the  
14 company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact  
15 information for the site is [privacy@peoplefind123.com](mailto:privacy@peoplefind123.com) and [legal@peoplefind123.com](mailto:legal@peoplefind123.com). After the  
16 second "processing" page, the site states that the search costs \$1. At the top of the payment page  
17 it states that the total charge is \$1. After scrolling down, there is a box to the side of the area  
18 where the consumer enters payment information. It states that by entering his or her information,  
19 the consumer is signing up for a seven day free trial, after which the consumer will be charged  
20 \$18.95 per month.

21 15. On July 5, 2011, [peoplefind123.com](http://peoplefind123.com) was active. The front page and processing  
22 pages had new graphics.

23 16. On July 18, 2011, [peoplefind123.com](http://peoplefind123.com) was unavailable.

24 **[peoplesearchesinc.com](http://peoplesearchesinc.com)**

25 17. On or about June 9, 2011, [peoplesearchesinc.com](http://peoplesearchesinc.com) was active. The "privacy"  
26 section states that the site is owned by "Mobile Web Media and its affiliated companies," and  
27 that the privacy agreement became effective February 9, 2010. The "terms" section says that the  
28 company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact

1 information for the site is privacy@peoplesearchesinc.com and legal@peoplesearchesinc.com.

2 After the second "processing" page, the site states that the search costs \$1. At the top of the  
3 payment page it states that the total charge is \$1. After scrolling down, there is a box to the side  
4 of the area where the consumer enters payment information. It states that by entering his or her  
5 information, the consumer is signing up for a seven day free trial, after which the consumer will  
6 be charged \$18.95 per month.

7 18. On July 5, 2011, peoplesearchesinc.com was active. The front page and  
8 processing pages had new graphics.

9 19. On July 18, 2011, peoplesearchesinc.com was active.

10 **surnamesinc.com**

11 20. On or about June 9, 2011, surnamesinc.com was active. The "privacy" section  
12 states that the site is owned by "Mobile Web Media and its affiliated companies," and that the  
13 privacy agreement became effective February 9, 2010. The "terms" section says the company's  
14 address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact information for  
15 the site was privacy@deathcertificatesinc.com and legal@deathcertificatesinc.com. The  
16 trademark for the website was blank; it was simply a "TM" without other words. After the second  
17 "processing" page, the site states that the search costs \$1. At the top of the payment page it states  
18 that the total charge is \$1. After scrolling down, there is a box to the side of the area where the  
19 consumer enters payment information. It that states that by entering his or her information, the  
20 consumer is signing up for a seven day free trial, after which the consumer will be charged  
21 \$18.95 per month.

22 21. On July 5, 2011, surnamesinc.com was active. The front page and processing  
23 pages had new graphics. The contact information was changed to privacy@surnamesinc.com  
24 and legal@surnamesinc.com. The trademark was changed to Surnames Inc™.

25 22. On July 18, 2011, surnamesinc.com was unavailable.

26 **whitepages321.com**

27 23. On or about June 9, 2011, whitepages321.com was active. The "privacy" section  
28 states that the site is owned by "Mobile Web Media and its affiliated companies," and that the

1 privacy agreement became effective February 9, 2010. The "terms" section says that the  
 2 company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact  
 3 information for the site is privacy@whitepages321.com and legal@whitepages321.com. After  
 4 the second "processing" page, the site states that the search costs \$1. At the top of the payment  
 5 page it states that the total charge is \$1. After scrolling down, there is a box to the side of the  
 6 area where the consumer enters payment information. It states that by entering his or her  
 7 information, the consumer is signing up for a seven day free trial, after which the consumer will  
 8 be charged \$18.95 per month.

9 24. On July 5, 2011, whitepages321.com was active. The front page had new  
 10 graphics.

11 25. On July 18, 2011, whitepages321.com was unavailable.

#### 12 **cellphonelookupus.com**

13 26. On or about June 9, 2011, cellphonelookupus.com was active. The "privacy"  
 14 section states that the site is owned by "Mobile Web Media and its affiliated companies," and  
 15 that the privacy agreement became effective February 9, 2010. The "terms" section says that the  
 16 company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact  
 17 information for the site is privacy@cellphonelookupus.com and legal@cellphonelookupus.com.  
 18 After the second "processing" page, the site states that the search costs \$1. At the top of the  
 19 payment page it states that the total charge is \$1. After scrolling down, there is a box to the side  
 20 of the area where the consumer enters payment information. It states that by entering his or her  
 21 information, the consumer is signing up for a five day free trial, after which the consumer will be  
 22 charged \$19.95 per month.

23 27. On July 5, 2011, cellphonelookupus.com was active. The front page and  
 24 processing pages had new graphics.

25 28. On July 18, 2011, cellphonelookupus.com was partially active. The front page  
 26 and processing pages were online, but the final payment page was unavailable.

#### 27 **freepeoplesearchltd.com**

28 29. On or about June 9, 2011 freepeoplesearchltd.com was active. The "privacy"

1 section states that the site is owned by "Mobile Web Media and its affiliated companies," and  
 2 that the privacy agreement became effective February 9, 2010. The "terms" section says that the  
 3 company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact  
 4 information for the site is [privacy@freepeoplesearchltd.com](mailto:privacy@freepeoplesearchltd.com) and [legal@freepeoplesearchltd.com](mailto:legal@freepeoplesearchltd.com).  
 5 After the second "processing" page, the site states that the search costs \$1. At the top of the  
 6 payment page it states that the total charge is \$1. After scrolling down, there is a box to the side  
 7 of the area where the consumer enters payment information. It states that by entering his or her  
 8 information, the consumer is signing up for a five day free trial, after which the consumer will be  
 9 charged \$19.95 per month.

10 30. On July 5, 2011, [freepeoplesearchltd.com](http://freepeoplesearchltd.com) was active. The front page and  
 11 processing pages had new graphics.

12 31. On July 18, 2011, [freepeoplesearchltd.com](http://freepeoplesearchltd.com) was unavailable.

13 **[publicrecords1.com](http://publicrecords1.com)**

14 32. On or about June 9, 2011, [publicrecords1.com](http://publicrecords1.com) was active. The "privacy" section  
 15 states that the site is owned by "Mobile Web Media and its affiliated companies," and that the  
 16 privacy agreement became effective February 9, 2010. The "terms" section says that the  
 17 company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact  
 18 information for the site is [privacy@publicrecords1.com](mailto:privacy@publicrecords1.com) and [legal@publicrecords1.com](mailto:legal@publicrecords1.com). After  
 19 the second "processing" page, the site states that the search costs \$1. At the top of the payment  
 20 page it states that the total charge is \$1. After scrolling down, there is a box to the side of the  
 21 area where the consumer enters payment information. It states that by entering his or her  
 22 information, the consumer is signing up for a five day free trial, after which the consumer will be  
 23 charged \$19.95 per month.

24 33. On July 5, 2011, [publicrecords1.com](http://publicrecords1.com) was active. The front page and processing  
 25 pages had new graphics.

26 34. On July 18, 2011, [publicrecords1.com](http://publicrecords1.com) was active.

27 **[cellphonenumberlookupus.com](http://cellphonenumberlookupus.com)**

28 35. On or about June 9, 2011, [cellphonenumberlookupus.com](http://cellphonenumberlookupus.com) was active. The

1 “privacy” section says that the privacy agreement became effective March 1, 2011. The “terms”  
 2 section states that the company’s name is Cell Phone Number Lookup, Inc., that the governing  
 3 law is that of the State of Washington, and that the company’s address is 147 West Election  
 4 Road, Suite 200, Draper, Utah 84020. The contact information for the site is  
 5 legal@cellphonenumberlookupus.com. After the second “processing” page, the site states that  
 6 the search costs \$1. At the top of the payment page it states that the total charge is \$1. After  
 7 scrolling down, there is a box separate from the area where the consumer enters payment  
 8 information. It states that by entering his or her information, the consumer is signing up for a  
 9 five day free trial, after which the consumer will be charged \$19.95 per month. Beneath the  
 10 monthly payment information on the payment page, the site states that to cancel the membership,  
 11 the consumer must call the number on his or her credit card bill.

12 36. On July 5, 2011, cellphonenumberlookupus.com was active.

13 37. On July 18, 2011, cellphonenumberlookupus.com was unavailable.

14 **freeinmatelookupus.com**

15 38. On or about June 9, 2011, freeinmatelookupus.com was active. The “privacy”  
 16 section stated that the privacy agreement became effective March 1, 2011. The “terms” section  
 17 states that the company’s name is Free Inmate Lookup, Inc., that the governing law is that of the  
 18 State of Washington, and that the company’s address is 147 West Election Road, Suite 200,  
 19 Draper, Utah 84020. The contact information for the site is legal@freeinmatelookupus.com.  
 20 After the second “processing” page, the site states that the search costs \$1. At the top of the  
 21 payment page it states that the total charge is \$1. After scrolling down, there is a box separate  
 22 from the area where the consumer enters payment information. It states that by entering his or  
 23 her information, the consumer is signing up for a five day free trial, after which the consumer  
 24 will be charged \$19.95 per month. Beneath the monthly payment information on the payment  
 25 page, the site states that to cancel the membership, the consumer must call the number on their  
 26 credit card bill.

27 39. On July 5, 2011, freeinmatelookupus.com was active.

28 40. On July 18, 2011, freeinmatelookupus.com was unavailable.



**freepublicrecordsus.com**

41. On or about June 9, 2011, freepublicrecordsus.com was active. The "privacy" section stated that the privacy agreement became effective March 1, 2011. The "terms" section states that the company's name is Free Public Records, Inc., that the governing law is that of the State of Washington, and that the company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact information for the site is legal@freepublicrecordsus.com. After the second "processing" page, the site states that the search costs \$1. At the top of the payment page it states that the total charge is \$1. After scrolling down, there is a box separate from the area where the consumer enters payment information. It states that by entering his or her information, the consumer is signing up for a five day free trial, after which the consumer will be charged \$19.95 per month. Beneath the monthly payment information on the payment page, the site states that to cancel the membership, the consumer must call the number on their credit card bill.

42. On July 5, 2011, freepublicrecordsus.com was active.

43. On July 18, 2011, freepublicrecordsus.com was unavailable.

**peoplefinderus.com**

44. On or about June 9, 2011, peoplefinderus.com was active. The "privacy" section states that the privacy agreement became effective March 1, 2011. The "terms" section states that the company name is People Finder, Inc., that the governing law is that of the State of Washington, and that the company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact information for the site is legal@peoplefinderus.com. After the second "processing" page, the site states that the search costs \$1. At the top of the payment page it states that the total charge is \$1. After scrolling down, there is a box separate from the area where the consumer enters payment information. It states that by entering his or her information, the consumer is signing up for a five day free trial, after which the consumer will be charged \$19.95 per month. Beneath the monthly payment information on the payment page, the site states that to cancel the membership, the consumer must call the number on their credit card bill.

45. On July 5, 2011, peoplefinderus.com was active.



1 46. On July 18, 2011, peoplefinderus.com was active.

2 **freepeoplesearch321.com**

3 47. On or about June 9, 2011, freepeoplesearch321.com was active. The "privacy"  
 4 section states that the site is owned by "Mobile Web Media and its affiliated companies," and  
 5 that the privacy agreement became effective February 9, 2010. The "terms" section says that the  
 6 company's address is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact  
 7 information for the site is privacy@freepeoplesearch321.com and  
 8 legal@freepeoplesearch321.com. At the bottom of the front page in small font the site states that  
 9 by entering payment information, the consumer is signing up for a seven-day free trial, after  
 10 which the consumer will be charged \$18.95 per month. At the top of the payment page it states  
 11 that the total charge is \$1. After scrolling down, there is a box to the side of the area where the  
 12 consumer enters payment information. It states that by entering his or her information, the  
 13 consumer is signing up for a seven day free trial, after which the consumer will be charged  
 14 \$18.95 per month.

15 48. On July 5, 2011, freepeoplesearch321.com was active.

16 49. On July 18, 2011, freepeoplesearch321.com was unavailable.

17 **freepublicrecords123.com**

18 50. On or about June 9, 2011, freepublicrecords123.com was active. The "privacy"  
 19 section states that the site is owned by "Mobile Web Media and its affiliated companies," and  
 20 that the privacy agreement became effective February 9, 2010. The "terms" section says that the  
 21 address of the company is 147 West Election Road, Suite 200, Draper, Utah 84020. The contact  
 22 information for the site is privacy@freepublicrecords123.com and  
 23 legal@freepublicrecords123.com. At the bottom of the front page in small font the site states  
 24 that by entering payment information, the consumer is signing up for a seven day free trial, after  
 25 which the consumer will be charged \$18.95 per month. At the top of the payment page it states  
 26 that the total charge is \$1. After scrolling down, there is a box to the side of the area where the  
 27 consumer enters payment information. It states that by entering his or her information, the  
 28 consumer is signing up for a seven day free trial, after which the consumer will be charged

1 \$18.95 per month.

2 51. On July 5, 2011, freepublicrecords123.com was active.

3 52. On July 18, 2011, freepublicrecords123.com was unavailable.

4 **familyhistoryinc.com**

5 53. On or about June 9, 2011, familyhistoryinc.com was active. The "privacy"  
6 section states at one point that the privacy agreement became effective on February 9, 2010, and  
7 at another gives the date as March 1, 2011. The "terms" section says that the company's name is  
8 FamilyHistoryInc.com, Inc. After the second "processing" page, the site states that the search  
9 costs \$1. At the top of the payment page it states that the total charge is \$1. After scrolling  
10 down, there is a box separate from the area where the consumer enters payment information. It  
11 states that by entering his or her information, the consumer is signing up for a seven day free  
12 trial, after which the consumer will be charged \$18.95 per month.

13 54. On July 5, 2011, familyhistoryinc.com was active.

14 55. On July 18, 2011, familyhistoryinc.com was active.

15 **familyandhistory.com**

16 56. On or about June 9, 2011, familyandhistory.com was active. The site appears to  
17 be a blog, and has only one post dated 3/29/11. The post only says "My First Post." Nothing  
18 else notable seemed to be listed on the site.

19 57. On July 5, 2011 familyandhistory.com was active.

20 58. On July 18, 2011 familyandhistory.com was active.

21 **Inactive Websites**

22 59. The following websites were not active on either June 9, 2011, or July 18, 2011:  
23 ancestor123.com, ancestorinc.com, ancestry123.com, ancestryfree123.com, ancestryfree321.com,  
24 ancestryfreeinc.com, genealogymax.com, familyhistoriesinc.com, familyhistoryfree123.com,  
25 familyhistoryfreeinc.com, familyhistorytreesinc.com, familymembersinc.com,  
26 familyname123.com, familysearch123.com, familytreemakerinc.com, familytreesfree.com,  
27 findmypast123.com, freeancestryinc.com, freefamilygenealogy.com, historyandfamily.com,  
28 historyoffamilyinc.com, historyofthefamilyinc.com, myhistory123.com, myhistoryinc.com,

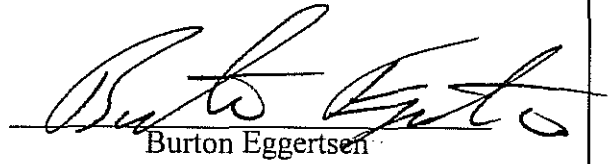
1 surname123.com, topfamilyhistory.com, treemakerinc.com, and whodoyouthinkyouareinc.com.  
2

3 I declare under penalty of perjury that the foregoing is true and correct.  
4

5 Executed on

7/27/11

6 Date

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Burton Eggertsen

Adwords Sites... New Funnels  
From: kevin@terramarketinggroup.com  
Sent: Fri, Apr 8, 2011 at 7:37 pm  
To: jesse@terramarketinggroup.com

MAFG 479

Hey Jesse,

Here are the adwords sites with new funnels.

<http://peoplesearchesinc.com>  
<http://www.whitepages321.com>  
<http://peoplefind123.com>  
<http://cellphonenumberlookups123.com>  
<http://freepublicrecords123.com>  
<http://freepeoplesearch321.com>

Something I noticed is the loading screen will skip if you don't clear your browser cache between each site.

Regards,  
Kevin

Attachment A  
Page 1

MAFG 480

<http://www.publicrecords1.com/publicrecords.php>

<http://www.cellphonelookupus.com/cellphonelookup.php>

<http://www.freepeoplesearchltd.com/freepeoplesearch.php>

<http://www.freeinmatelookupus.com/freeinmatelookup.php>

<http://www.peoplefinderus.com/peoplefinder.php>

[http://www.cellphonenumberlookupus.com/cell\\_phone\\_number\\_lookup.php](http://www.cellphonenumberlookupus.com/cell_phone_number_lookup.php)

<http://www.freepublicrecordsus.com/freepublicrecords.php>

Lets meet on

MAFG

494

Keyword	
family history trees	familyhistorytreesinc.com
genealogy	genealogymax.com
surname	surname123.com
ancestry.com	ancestry123.com
family histories	familyhistoriesinc.com
family name	familyname123.com
familysearch.org	familysearch123.com
ancestry search	ancestrysearchinc.com
family tree maker	familytreemakerinc.com
find my past	findmypast findmypast123.com
tree maker	treemakerinc.com
family members	familymembersinc.com
family history free	familyhisto familyhistoryfree123.com
my history	myhistoryi myhistory123.com
ancestor	ancestorinc ancestor123.com
family trees free	familytreesfree.com
free family genealogy	freefamilygenealogy.com
ancestry free	ancestryfre ancestryfreeinc.com
free ancestry	freeancestryinc.com
family history	topfamilyhistory.com
history of family	historyoffamilyinc.com
family and history	familyandhistory.com
history of the family	historyofthefamilyinc.com
history and family	historyandfamily.com
surnames	surnamesinc.com
who do you think you	whodoyouthinkyouareinc.com

Let's Plan

should add

birth, marriage, death etc

Attachment A

Page 3